Case 3:73-cv-00127-MMD-CSD Document 34 Filed 11/17/94 Page 1 of 11 GORDON H. DePAOLI 1 WOODBURN AND WEDGE One East First Street 2 Suite 1600 P.O. Box 2311 3 Reno, Nevada 89505 Telephone: (702) 688-3000 4 5 Attorneys for WALKER RIVER IRRIGATION DISTRICT U.S. DISTRICT COURT DISTRICT OF NEVADA RECEIVED IN THE UNITED STATES DISTRICT COURT CLERK, U.S. DISTRICT COURT FOR THE DISTRICT OF NEVADA 10 DEPUT 11 IN EQUITY NO. C-125 UNITED STATES OF AMERICA, 12 SUBFILE NO. C-125-B Plaintiff, 13 WALKER RIVER PAIUTE TRIBE, 14 Plaintiff-Intervenor, 15 16 vs. WALKER RIVER IRRIGATION DISTRICT, 17 a corporation, et al., 18 Defendants. STIPULATION AND ORDER 19 CONCERNING MINERAL COUNTY'S MOTION TO 20 WALKER RIVER PAIUTE TRIBE, INTERVENE AND FOR PRETRIAL CONFERENCE 21 Counterclaimant, THEREON (First Request) 22 VS. 23 WALKER RIVER IRRIGATION DISTRICT, et al., 24 Counterdefendants. 25 26 On or about October 25, 1994, Mineral County, Nevada 27 filed a Notice of Motion and Motion for Intervention and 28 WOODBURN AND supporting documents in this matter (the "Motion to Intervene"). WEDGE ATTORNEYS

ONE FAST FIRST STREET RENO. NEVADA 89501 (702) 688-3000

Case 3:73-cv-00127-MMD-CSD Document 34 Filed 11/17/94 Page 2 of 11

- 2. The Motion to Intervene was served by mail on counsel for the United States, the Walker River Paiute Tribe, the California State Water Resources Control Board, California Trout, Inc. and the United States Board of Water Commissioners on October 25, 1994 and on counsel for the State of Nevada and the Walker River Irrigation District on November 2, 1994.
- 3. The Motion to Intervene was also served by mail on various other persons on October 25, 1994.
- 4. A pretrial conference concerning the Motion to Intervene would be useful in expediting its disposition.
- 5. A determination should be made as to who should receive notice of and have an opportunity to respond to the Motion to Intervene.
- 6. The undersigned are available for a pretrial conference concerning the Motion to Intervene within the next thirty (30) days at the convenience of the Court.
- 7. There have been no previous extensions of time sought or granted with respect to a response to the Motion to Intervene.

NOW, THEREFORE, based upon the foregoing and subject to the approval of the Court, the undersigned hereby stipulate as follows:

- 1. That a pretrial conference be held concerning the Motion to Intervene at a date and time convenient to the Court and counsel and preferably within the next thirty (30) days;
- 2. That no response to the Motion to Intervene be required pending the order of the court at the pretrial conference; and

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- 3. That the undersigned shall separately serve and file at least ten (10) days prior to the pretrial conference, a report concerning the following issues:
- (a) The persons who should be given notice of and an opportunity to respond to the Motion to Intervene; and
- (b) Any other matter which will aid in the disposition of the Motion to Intervene; and
- 4. Pending the order of the court at the pretrial conference the undersigned will serve counsel for Mineral County

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WOODBURN AND WEDGE ATTORNEYS ONE EAST FIRST STREET RENO, NEVADA 89501

(702) 688-3000

1 with a copy of any paper required to be served and filed herein 2 under the Federal Rules of Civil Procedure. DATED this 15th day of November, 1994. 3 4 WOODBURN and WEDGE Frankie Sue Del Papa One East First Street, Suite 1600 Attorney General 5 State of Nevada P.O. Box 2311 Reno, Nevada 89505 123 West Nye Lane 6 Carson City, Nevada 89710 7 GORDON H. DePAOLI By See signature via facsimile attached 8 SUSAN JOSEPH-TAYLOR Attorneys for WALKER RIVER IRRIGATION DISTRICT Attorneys for the State of 9 Nevada VARGAS & BARTLETT 10 201 West Liberty Street, Suite 300 GREENE, MEYER & McELROY, P.C. P.O. Box 281 1007 Pearl Street 11 Reno, NV 89504 Boulder, CO 80302 12 By See signature via facsimile attached SCOTT B. McELROY By See signature via facsimile attached 13 LINDA BOWMAN Attorneys for Walker River Attorneys for United States Board Paiute Tribe 14 Water Commissioners ZEH, SPOO & HEARNE 15 Daniel Lungren 450 Marsh Avenue Attorney General Reno, Nevada 89509 16 2101 Webster Street, 12th Floor Oakland, CA 94612-3049 By See signature via facsimile attached 17 Attorneys for Mineral County 18 McCUTCHEN, DOYLE, BROWN & BySee signature via facsimile attached MARY E. HACKENBRACHT ENERSEN 19 Attorneys for the California Three Embarcadero Center State Water Resources Control BoardSan Francisco, CA 94111 20 Kathryn Landreth BySee signature via facsimile attached 21 John P. Lange DAVID E. MOSER United States Attorney Attorneys for Cal-Trout, Inc. 22 999 - 18th Street, Suite 945 Deriver, Colorado 80202 IT IS SO ORDERED. 23 24 BySee signature via facsimile attached UNITED STATES DISTRICT JUDGE JOHN P. LANGE 25 Attorneys for the United States of America DATED

Case 3:73-cv-00127-MMD-CSD Document 34 Filed 11/17/94 Page 4 of 11

28 WOODBURN AND WEDGE ATTORNEYS ONE EAST FIRST STREET RENO, NEVADA 89501

(702) 688-3000

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Case 3:73-cv-00127-MMD-CSD Document 34 Filed 11/17/94 Page 5 of 11

I	with a copy of any paper required	to be served and filed herein
2	under the federal Rules of Civil F	rocedure.
3	DATED this day of No	vember, 1994.
4	WOODBURN and WEDGE One East First Street, Suite 1600 P.O. Box 2311	Frankie Sue Del Papa
5	P.O. Box 2311 Reno, Nevada 89505	State of Nevada 123 West Nye Lane
6		Carson City, Nevada 89710
7	GORDON H. DePAOLI	7
8	Attorneys for WALKER RIVER RIREGATION DISTRICT	SUSAN JOSEPH-TAYLOR Attorneys for the State of
9	VARGAS & BARTLETT	Nevada
10	201 West Liberty Street, Suite 300 P.O. Box 281	GREENE, MEYER & McELROY, P.C. 1007 Pearl Street
11	Reno, NV 29504	Boulder, CO 80302
12	By Inda a. Sowman	ву
13	The second secon	MCCOLUCAS ICL MUIKEL KINSL
14	Attornous for United States Board Water Commissioners	
15	Daniel Lungren Attorney General	ZEH, SPOO & HEARNE 450 Marsh Avenue
16	2101 Webster Street, 12th Floor Oakland, Ch 94612-3049	Reno, Nevada 89509
17		Attorneys for Mineral County
18	MARY E. HACKENBRACHT	MCCUTCHEN, DOYLE, BROWN &
19	! Attomeys for the California	Three Embarcadero Center
20	State Water Resources Control Board	dSan Francisco, CA 94111
21	Kathryn Landreth John P. Lange	DAVID E. MOSER
22	United States Attorney 999 - 18th Street, Suite 945	Attorneys for Cal-Trout, Inc.
23	Denver, Colorado 80202	IT IS SO ORDERED.
24	Ву	
25	JOHN P. LANGE Attorneys for the United States of	UNITED STATES DISTRICT JUDGE
26	America	DATED
27		

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Case 3:73-cv-00127-MMD-CSD Document 34 Filed 11/17/94 Page 6 of 11

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1	with a copy of any paper required	to be served and filed herein
2	under the Federal Rules of Civil Procedure.	
3	DATED this day of Nov	vember, 1994.
4	WOODBURN and WEDGE	Frankie Sue Del Papa
5		State of Nevada
6	Reno, Nevada 89505	123 West Nye Lane Carson City, Nevada 89710
7	Ву	
8	GORDON H. DePAOLI Attorneys for WALKER RIVER IRRIGATION DISTRICT	SUSAN JOSEPH-TAVIOR
9	IRRIGATION DISTRICT	Attorneys for the State of Nevada
10	VARGAS & BARTLETT	
İ	201 West Liberty Street, Suite 300 P.O. Box 281	1007 Pearl Street
11	Reno, NV 89504	Boulder, CO 80302
12	Ву	SCOTT B. MCELROY
13	LINDA BOWMAN Attorneys for United States Board	Attorneys for Walker River
14	Water Commissioners	ZEH, SPOO & HEARNE
15	Daniel Lungren	450 Marsh Avenue
16	Attorney General 2101 Webster Street, 12th Floor	Reno, Nevada 89509
17	Oakland, CA 94612-3049	By Attorneys for Mineral County
18	By // all . Soulderen	McCutchen, Doyle, Brown &
19	MARY E HACKENBRACHT Attorneys for the California	ENERSEN Three Embarcadero Center
20	State Water Resources Control Board	
	Kathryn Landreth	DAVID E. MOSER
21	John P. Lange United States Attorney	DAVID E. MOSER Attorneys for Cal-Trout, Inc.
22	999 - 18th Street, Suite 945	IT IS SO ORDERED.
23	Deliver, Colorado 80202	11 15 50 ORDURDS
24	Ву	
25	JOHN P. LANGE Attorneys for the United States of	
26	America	DATED
24		W.

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WOODBURN AND
WEDGE
ATTORNEYS
ONE EAST FIRST STREET
RENO. NEVADA \$9501

Case 3:73-cv-00127-MMD-CSD Document 34 Filed 11/17/94 Page 7 of 11

1	with a copy of any paper required	to be served and filed herein
2	under the Federal Rules of Civil Pa	rocedure.
3	DATED this day of No	vember, 1994.
4	WOODBURN and WEDGE	Frankie Sue Del Papa
5		
6	P.O. Box 2311 Reno, Nevada 90505	123 West Nye Lane Carson City, Nevada 89710
7	Bv	
8	GORDON H. DEPAOLI	SUSAN JOSEPH-TAVIOR
9	Attorneys for WALKER RIVER IRRIGATION DISTRICT	Attorneys for the State of Nevada
10	VARGAS & BARTLETT	ANDRED SERVED A MARKET BALL B. O.
10	201 West Liberty Street, Suite 300 P.C. Box 281	TARR DARKER CHARAGE
11	Reno, NV 89564	Boulder, CO 80302
12		SCOTT B. MCELROY
13	LINDA BOWHAN	SCOTT B. MCELROY Attorneys for Walker River
4.4	Attorneys for United States Board	Paiute Tribe
14	Water Commissioners	ZEH, SPOO & HEARNE
15	Daniel Lungren Attorney General	450 Marsh Avenue
16	Attorney General 2101 Webster Street, 12th Floor	Reno, Nevada 89509
		Ву
17		Attorneys for Mineral County
18	By	MCCUTCHEN, DOYLE, BROWN &
19	MARY E. HACKSHERACHT Attorneys for the California	ENERSEN Three Embarcadero Center
20	State Water Resources Control Board	dSan Francisco, CA 94111
	Kathryn Landreth	Ву
21	John P. Lange	DAVID E. MOSER
22	United States Attorney 999 - 18th Street, Suite 945	Attorneys for Cal-Trout, Inc.
23	Denver, Colorade 80202	IT IS SO ORDERED.
24	The Lange -	
	JOHN P. LANCE	UNITED STATES DISTRICT JUDGE
25	Attorneys for the United States of America	DATED
26		VALEU
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Case 3:73-cv-00127-MMD-CSD Document 34 Filed 11/17/94 Page 8 of 11

1	with a copy of any paper required to be served and filed herein	
2	under the Federal Rules of Civil Procedure.	
3	DATED this day of Nov	vember, 1994.
4	WOODBURN and WEDGE One East First Street, Suite 1600	Frankie Sue Del Papa
5	P.O. Box 2311 Reno, Nevada 89505	
6	Tene, heyada 57500	Carson City, Nevada 89710
7	CORDON H. DePAOLI	By A Joseph - Tant
8	Attorneys for WALKED DIVED	
Ĭ	Attorneys for WALKER RIVER IRRIGATION DISTRICT	Attorneys for the State of
9	VARGAS & BARTLETT	Nevada
10	30% West Liberty Street, Suite 300	GREENE, MEVER & MCELROV, P.C.
ļ	D O Boy 201	1007 Pearl Street
11	Rono, NV 89504	Bouldor, CO 80302
12		Ву
į	Ву	SCOTT B. MCELROY
13	LINDA DOWMAN	Attorneys for Walker River
14	Attorneys for United States Board Water Commissioners	Paiute Tribe
		ZEH, SPOO & HEARNE
15	Daniel Lungran	450 Marsh Avenue
أبرو	Attorney General	Reno, Nevada 89509
16	2101 Webster Street, 12th Floor	
17	Oakland, CA 94612-3049	Ву
		Attorneys for Mineral County
18	MARY E. HACKENBRACHT	MCCUTCHEN, DOYLE, BROWN &
19	MARY E. HACKENBRACHT	ENERSEN
17	Attorneys for the California	Three Embarcadero Center
20	State Water Resources Control Board	
21	Kathryn Landreth	DAVID E. MOSER
	John P. Lange United States Attorney	DAVID E. MUDEK
22	999 - 18th Street, Suite 945	Attorneys for Cal-Trout, Inc.
23	Denver, Colorado 80202	IT IS SO ORDERED.
24	Ву	
25	JOHN P. LANGE	
į	Attorneys for the United States of America	DATED
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Case 3:73-cv-00127-MMD-CSD Document 34 Filed 11/17/94 Page 9 of 11

With a copy of any paper required	to be served and filed herein
under the Federal Rules of Civil P	Procedure.
DATED this day of No	ovember, 1994.
One East First Street, Suite 1600	Frankie Sue Del Papa Attorney General State of Nevada
P.O. Box 2311 Reno, Nevada 89505	123 West Nye Lane Carson City, Nevada 89710
Ву	
GORDON H. DePAOLI	By
GORDON H. DePAOLI Attorneys for WALKER RIVER IRRIGATION DISTRICT	SUSAN JOSEPH-TAYLOR Attorneys for the State of
VARGAS & BARTLETT	Nevada
201 West Liberty Street, Suite 300	GREENE, MEYER & MCELROY, P.C.
P.O. Box 281 Reno, NV 89504	1007 Pearl Street Boulder, CO 80302
	By AMEL
8у	Ву
We file a file of the control of the	SCOTT B. MCELROY
Attorneys for United States Board Water Commissioners	Attorneys for Walker River Paiute Tribe
Widel Commissioners	ZÉH, SPOO & HEARNE
Daniel Lungren	450 Marsh Avenue
Attorney General	Reno, Nevada 89509
2101 Webster Street, 12th Floor	
Oakland, CA 94612-3049	Ву
	Attorneys for Mineral County
Ву	MCCUTCHEN, DOYLE, BROWN &
MARY E. HACKENBRACHT	ENERSEN
Attorneys for the California	Three Embarcadero Center
State Water Resources Control Boar	dSan Francisco, CA 94111
Kathryn Landreth	By
John P. Lange	DAVID E. MOSER
United States Attorney	Attorneys for Cal-Trout, Inc.
999 - 18th Street, Suite 945	-
Denver, Colorado 80202	IT IS SO ORDERED.
By	
JOHN P. LANGE	UNITED STATES DISTRICT JUDGE
Attorneys for the United States of America	
emet 10g	DATED

Case 3:73-cv-00127-MMD-CSD Document 34 Filed 11/17/94 Page 10 of 11 with a copy of any paper required to be served and filed herein 1 under the Federal Rules of Civil Procedure. My M day of November, 1994. 3 WOODBURN and WEDGE Frankie Sue Del Papa One East First Street, Suite 1600 Attorney General 5 State of Nevada P.O. Box 2311 123 West Nye Lane Reno, Nevada 89505 б Carson City, Nevada 89710 7 GORDON H. DePAOLI 8 SUSAN JOSEPH-TAYLOR Attorneys for WALKER RIVER IRRIGATION DISTRICT Attorneys for the State of 9 Nevada VARGAS & BARTLETT 10 201 West Liberty Street, Suite 300 GREENE, MEYER & McELROY, P.C. 1007 Pearl Street P.O. Box 281 11 Reno, NV 89504 Boulder, CO 80302 12 SCOTT B. McELROY 13 Attorneys for Walker River LINDA BOWMAN Attorneys for United States Board Paiute Tribe 14 Water Commissioners ZEH, SPOO & HEARNE 15 Daniel Lungren 450 Marsh Avenue Attorney General Reng Nevada 89509 16 2101 Webster Street, 12th Floor Oakland, CA 94612-3049 Attorneys for 17 18 MCCUTCHEN, DOYLE, BROWN & MARY E. HACKENBRACHT ENERSEN 19 Attorneys for the California Three Embarcadero Center State Water Resources Control BoardSan Francisco, CA 94111 20 Kathryn Landreth By___ 21 John P. Lange DAVID E. MOSER United States Attorney Attorneys for Cal-Trout, Inc. 22 999 - 18th Street, Suite 945 Denver, Colorado 80202 IT IS SO ORDERED. 23 24 JOHN P. LANGE UNITED STATES DISTRICT JUDGE 25 Attorneys for the United States of America DATED 26

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Case 3 73-cv-00127-MMD-CSD Document 34 Filed 11/17/94 Page 11 of 11

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1	to be served and filed herein	
2	under the Federal Rules of Civil P	rocedure.
3	DATED this day of No	Vember, 1994.
4	WOODBURN and WEDGE	Frankie Suo Dol Domo
5	P.O. Box 2311	Attorney General State of Nevada
6	Reno, Nevada 89505	123 West Nye Lane Carson City, Nevada 89710
7	Ву	
. 8	MALLOTHEYS FOR WALKER RIVER	SUSAN JOSEPH-TAYLOR
9		Attorneys for the State of Nevada
10	VARGAS & BARTLETT 201 West Liberty Street, Suite 300	GREENE, MEYER & MCELROY, P.C.
. 11	P.O. Box 281 Reno, NV 89504	1007 Pearl Street Boulder, CO 80302
12	Par .	Ву
13	LINDA BOWMAN	SCOTT B. McFLROY Attorneys for Walker River
14	Attorneys for United States Board Water Commissioners	
. 15	Daniel Lungren Attorney General	ZEH, SPOO & HEARNE 450 Marsh Avenue
16	2101 Webster Street, 12th Floor Oakland, CA 94612-3049	Reno, Nevada 89509
17		Attorneys for Mineral County
18	MARY E. HACKENBRACHT	MCCUTCHEN, DOYLE, BROWN &
19	Attorneys for the California State Water Resources Control Board	TOYAR EMBRECAMAYA CANTAY
20	Kathryn Landreth	116. 1/1
21	John P. Lange United States Attorney	DAVID E. MOSER Attorneys for Cal-Trout, Inc.
22	999 - 18th Street, Suite 945 Denver, Colorado 80202	IT IS SO ORDERED.
23		
24	JOHN P. LANGE	UNITED STATES DISTRICT JUDGE
25 26	Attorneys for the United States of America	DATED
26		
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WOODBURN AND WEDGE	4	
ONE EAST FIRST STREET	d	

RENO, NEVADA 19561